

**CITY OF ROCHESTER  
COUNCIL AGENDA  
COUNCIL/BOARD CHAMBERS  
GOVERNMENT CENTER  
151 4<sup>TH</sup> STREET SE**

# MEETING NO. 7 REGULAR

**APRIL 5, 2010**  
**7:00 P.M.**

## PLEDGE OF ALLEGIANCE

PAGE

- |       |  |   |
|-------|--|---|
| 1-2   | A) <b>CONSIDERED:</b>                            | OPEN COMMENT PERIOD   |
|       | B) <b>CALL TO ORDER</b>                          |   |
|       | C) <b>LETTERS AND PETITIONS</b>                  |   |
| 3-4   | 1) <b>PRESENTED:</b>                             | 2009 City of Rochester United Way Campaign Results  |
| 5-6   | D) <b>CONSENT AGENDA/ORGANIZATIONAL BUSINESS</b> |   |
|       | 1) <b>APPROVED:</b>                              | Approval of Minutes   |
| 7-14  | 2) <b>APPROVED:</b>                              | Appointments to Police Civil Service Commission and Planning and Zoning Commission  |
| 15-18 | 3) <b>APPROVED:</b>                              | Adoption of an Ordinance to establish a community lighting utility  |
| 19-20 | 4) <b>APPROVED:</b>                              | New Lease Agreement for the restaurant facilities located in the Main Terminal Building at the Rochester International Airport                        |
| 21-22 | 5) <b>APPROVED:</b>                              | Professional Services Agreement with TSP, Inc., for a roofing project on the Terminal Building and the corresponding State Aid Agreement              |
| 23-24 | 6) <b>APPROVED:</b>                              | Professional Services Agreement with Crouse-Hinds for a project to make software modifications/updates to the Airfield Lighting Control System        |
| 25-26 | 7) <b>APPROVED:</b>                              | Professional Services Agreement with RS&H for a project to make software modifications/updates to the Airfield Lighting Control System                |
| 27-28 | 8) <b>APPROVED:</b>                              | The purchase of an electric personnel scissor lift and trailer from United Rentals and the acceptance of a state aid agreement to provide 2/3 funding |
| 29-30 | 9) <b>APPROVED:</b>                              | Bid Award for Terminal Building Remodeling Project  |

- 31-32 10) **APPROVED:** Amendment to Sound Amplification Device Permit Ordinance Regarding Time Restrictions on 85 Decibel Permits
- 33-34 11) **APPROVED:** Licenses, Bonds & Miscellaneous City Activities
- 35-36 12) **APPROVED:** Approval of Accounts Payable
- 37-38 13) **APPROVED:** LMCIT Liability Waiver Form
- 39-40 14) **APPROVED:** Authorize execution of software licensing and support agreements for Oracle JD Edwards Enterprise software
- 41-44 15) **APPROVED:** Adoption of Olmsted County Hazardous Mitigation Plan
- 45-46 16) **APPROVED:** Resolution documenting the primary duty of firefighting for the sworn positions of Fire Marshall and Assistant Fire Marshall
- 47-48 17) **APPROVED:** Approval of Minnesota Homeland Security & Emergency Management Grant
- 49-52 18) **APPROVED:** Law Enforcement Labor Services, Inc., Local 194 – 2010 Collective Bargaining Unit
- 53-54 19) **APPROVED:** Consideration of Public Utility Board Action
- 55-56 20) **APPROVED:** Engineering Services: Design Services for Willow Creek Stream Bank Stabilization between 11<sup>th</sup> Ave SE and 48<sup>th</sup> St SW and Southern Woods Pond Rehabilitation (J-6542)
- 57-58 21) **APPROVED:** Engineering Services for Condition Survey / Third Street and Civic Center Parking Ramps
- 59-60 22) **APPROVED:** Award of Contract: Aggregate Season Supply 2010
- 61-62 23) **APPROVED:** Award of Contract: Bituminous Season Supply 2010
- 63-64 24) **APPROVED:** Award of Contract: Concrete Season Supply 2010
- 65-66 25) **APPROVED:** TH 14 Beltline Construction Project Request for Noise Ordinance Variance Permit
- 67-68 26) **APPROVED:** Grading Plan Checklist Updates
- 69-70 27) **APPROVED:** DNR Trail Bonding Bill Grant Funds
- 71-72 28) **APPROVED:** Phase 4 NE Sanitary Sewer Relief Line, J7778
- 73-74 29) **APPROVED:** Assessment: (J7229) Valley High Transportation Improvement District
- 75-76 30) **APPROVED:** Temporary Permit for Reconstruction of TH 14 by State of Minnesota
- 77-78 31) **APPROVED:** Professional Services Agreement with Braun Intertec for Material Testing and Special Inspection Services: J-2087
- 79-80 32) **APPROVED:** Real Estate – Pedestrian Path Construction – DM & E Railroad from 7<sup>th</sup> Street NW to Douglas Trail (J-4631)

- 81-82 33) **APPROVED:** Real Estate – Acceptance of Excess ROC 52 Right of Way – TH 52 & 6<sup>th</sup> Street SW
- 83-84 34) **APPROVED:** Real Estate – Acceptance of Excess ROC 52 Right of Way – Elton Hills Drive NW & Assisi Drive NW
- A 35) **APPROVED:** GH Holdings Development Agreement, Consent To Assignment and Recognition Agreement

**E) HEARINGS**

- 85-114 1) **APPROVED:** Type III, Phase II Amendment to Restricted Development #R2009-028CUP by Samaritan Bethany. The applicant is proposing to amend Restricted Development Conditional Use Permit R2009-028CUP by expanding the parking lot to include additional property they have acquired. The property is located along the south side of 9th Street NW and east of 2nd Ave. NW.
- 115-128 2) **APPROVED:** Vacation Petition R2010-001VAC by Samaritan Bethany. The applicant is proposing to vacate the 15 foot wide platted alley right-of-way located between Lots 11, 12, 13, Block 23 of Northern Addition to Rochester. The alley is located south of 9th Street NW and east of 2nd Avenue NW.
- 129-160 3) **APPROVED:** Type III, Phase II Restricted Development Preliminary Plan R2010-002CUP by Rochester Area Foundation. The applicant is proposing to construct a 4 unit condominium building on property that is zoned R-1. The property is located along the south side of West Center Street and has an address of 1126 West Center Street.
- A-B **APPROVED:** PLUS ADDENDUM
- 161-170 4) **APPROVED:** Vacation Petition R2010-002VAC Right-of-Way by GH Holdings. The applicant is proposing to vacate a portion of the 1st Avenue SW right-of-way to allow for an entrance element that cantilevers over the public right-of-way for a building. The area proposed to be vacated is 4 feet by 24 feet which lies above a horizontal plane, the elevation of which 1013.00 feet and which lies below another horizontal plane, the elevation of which is 1037.00 feet, adjacent to Lot 8, Block 10, Original Plat. The area is located along the east side of 1st Avenue SW.
- 171-176 5) **APPROVED:** Vacation Petition #R2010-003VAC EASEMENT by Macken Brothers Partnership, LLP. The applicant is proposing to vacate a 10' wide utility easement as dedicated on the plat of Park Home Subdivision. The easement is lying within Lots 1 – 10 of Block 3 which is north of 11 ½ Street SE and east of 11<sup>th</sup> Avenue SE.

- 177-180 6) **APPROVED:** Vacation Petition #R2010-004VAC EASEMENT by Shailendra Giri and Ramandeep Rattan. The applicants are proposing to vacate a portion of the 10' wide drainage easement along the west side of Lot 9, Block 2 Stonehedge Estates Subdivision. The corner of the garage extends into the easement. The address of the property is 2054 Jade Lane NE.
- 181-184 7) **APPROVED:** Zoning Ordinance and Land Development Manual Text Amendment R2010-001TA initiated by the Rochester City Council to revise the circumstances for waived or reimbursed fees and to clarify the adjustments to waived or reimbursed fees.
- 185-186 8) **APPROVED:** Project Hearing for (J-7250): Sidewalk Defects along TH 14
- 187-188 9) **APPROVED:** Expansion of Residential Permit Parking Zone 6 area to include permit parking on 5<sup>th</sup> Street S.W. between 7<sup>th</sup> Avenue S.W. and 8<sup>th</sup> Avenue S.W. from 8:00 AM to 4:00 PM Monday through Friday.
- 189-192 10) **APPROVED:** 2010 Program of Projects for Federal Transit Assistance

#### **F) REPORTS AND RECOMMENDATIONS**

#### **G) RESOLUTIONS AND ORDINANCES**

193-194

#### **H) TABLED ITEMS**

- 195-196 1) **APPROVED:** Lease Agreement for the Communications Center Logger

#### **I) OTHER BUSINESS**

#### **J) ADJOURNMENT**